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APPLICATION NO.	FI	LING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/909,554 07/20/2001		Robert W. Guidry	42327.00004	2567	
23377 7590 03/10/2006			EXAMINER		
WOODCOCK WASHBURN LLP ONE LIBERTY PLACE, 46TH FLOOR				WINTER, JOHN M	
1650 MARKET STREET				ART UNIT	PAPER NUMBER
PHILADELPHIA, PA 19103			3621		

DATE MAILED: 03/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



Application No.	Applicant(s)		
09/909,554	GUIDRY, ROBERT W.		
Examiner	Art Unit		
John M. Winter	3621		

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period fo	or Reply					
WHIC - Exter after - If NO - Failu Any r	ORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, CHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  In no event, however, may a reply be timely filed SIX (6) MONTHS from the mailing date of this communication. The period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. The to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). The reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any led patent term adjustment. See 37 CFR 1.704(b).					
Status						
1)⊠	Responsive to communication(s) filed on 20 October 2005.					
2a)[	This action is <b>FINAL</b> . 2b)⊠ This action is non-final.					
3)	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is					
	closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.					
Dispositi	on of Claims					
4)⊠	Claim(s) <u>30-33,35-65,68,69,74-77 and 80-116</u> is/are pending in the application.					
	4a) Of the above claim(s) is/are withdrawn from consideration.					
5)🖂	Claim(s) 30,35-65,68,69,74-77 and 80-116 is/are allowed.					
6)⊠	Claim(s) 31 is/are rejected.					
7)🖂	Claim(s) 32 and 33 is/are objected to.					
8)□	Claim(s) are subject to restriction and/or election requirement.					
Applicati	on Papers					
9)[	The specification is objected to by the Examiner.					
10)	The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.					
	Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).					
	Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).					
11)	The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.					
Priority u	ınder 35 U.S.C. § 119					
-	Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  All b) Some * c) None of:  1. Certified copies of the priority documents have been received.					
	2. Certified copies of the priority documents have been received in Application No.					
	3. Copies of the certified copies of the priority documents have been received in this National Stage					
	application from the International Bureau (PCT Rule 17.2(a)).					
* S	See the attached detailed Office action for a list of the certified copies not received.					
Attachmen	t(s)					
	e of References Cited (PTO-892)  4) Interview Summary (PTO-413)					
3) 🔲 Inform	e of Draftsperson's Patent Drawing Review (PTO-948)  nation Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  r No(s)/Mail Date  Paper No(s)/Mail Date  5) Notice of Informal Patent Application (PTO-152)  6) Other:					

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### **DETAILED ACTION**

#### **STATUS**

Claims 30-33,35-65,68,69,74-77 and 80-116 are pending.

Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

# Response to Arguments

The Applicant's arguments filed on October 20,2005 have been fully considered. Claim 31 is rejected in reconsideration of view of Burger (US Patent No 6,219,439) The examiner respectfully requests a telephonic conference at the applicant's convenience to expedite the prosecution of the application.

Rejections based on the newly cited reference follows.

## Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hopkins (US Patent 5,757,918) in view in view of Burger (US Patent No 6,219,439)

As per claim 32,

Hopkins ('918) discloses a method for controlling access to sites of a transportation network, comprising the steps of:

verifying pre-determined characteristics of a transporting entity at first remote site, (column 2, lines 18-23) a positive verification providing the transporting entity access to the first remote site. (column 1, lines 21-26)

verifying pre-determined characteristics of the transporting entity and certain predetermined first remote site transaction data at a second remote site, (column 2, lines 18-23) a positive verification providing the transporting entity access to the second remote site. (column 1, lines 21-26)

Hopkins ('918) discloses the claimed invention except for a second remote site, it would have been obvious to one having ordinary skill in the art at the time the invention was made use

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a second remote site, since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. St Regis Paper Co. v. Bemis Co., 193 USPQ 8.

Hopkins ('918) does not explicitly disclose a recording pre-determined first remote site transaction data. Burger ('439) discloses a recording pre-determined first remote site transaction data. (Column 8, lines 5-9) It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the Hopkins ('918) method with the Burger ('439) method in order to keep a log of access to a site.

Hopkins ('918) does not explicitly disclose evaluating the first remote site transaction data with the remote site transaction data creating statistics used to manage and monitor the transportation network; wherein the transportation network is a waste hauling network. Burger ('439) discloses evaluating the first remote site transaction data with the remote site transaction data creating statistics used to manage and monitor the transportation network; wherein the transportation network is a waste hauling network. (Column 7, lines 28-35). It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the Hopkins ('918) method with the Burger ('439) method in order to keep a log of access to a site.

## Allowable subject matter

Claims 30,32-33,35-65,68,69,74-77 and 80-116 are allowable over the prior art record.

#### Conclusion

Examiners note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the examiner should be directed to John Winter whose telephone number is (571) 272-6713. The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, James Trammell can be reached at (571) 272-6712.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <a href="http://portal.uspto.gov/external/portal/pair">http://portal.uspto.gov/external/portal/pair</a>. Should you have questions on access to

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the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). Any response to this action should be mailed to:

# **Commissioner of Patents and Trademarks**

# Washington, D.C. 20231

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or faxed to:

(703) 305-7687 [Official communications; including After Final communications labeled "Box AF"]
(703) 308-1396 [Informal/Draft communications, labeled "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to the Examiner in the Knox Building, 50 Dulany St. Alexandria, VA.

JMW November 29, 2005